

THE MEAT WAS HUNTED LAWFULLY.

(3) A MUSKRAT DAMAGING ANY EMBANKMENT OR IMPOUNDMENT MAY BE DESTROYED BY THE OWNER AT ANY TIME.

REVISOR'S NOTE: Subsection (a) presently appears as the initial provisions of Article 66C, section 175(a) of the Code. New language is added to indicate that this section creates the open season for fur-bearing mammals. This term includes beavers which are not regulated by the present statute. According to the department, there is no reason for their omission since the department has established a beaver season falling within this period pursuant to the authority granted to it by section 175(c). The present law was enacted prior to 1966 when it was illegal to trap beaver. The verb "to trap" is retained in this and subsequent sections despite its inclusion in the definition of "hunt" (section 10-101(j)). Most fur-bearing mammals are actually trapped, rather than hunted, and, therefore, this verb is used throughout this subtitle for the convenience of the Code user.

Subsection (b) presently appears as the exceptions set forth in section 175(a) as well as section 175(b). New language, derived from the second sentence of Article 66C, section 178(d), is added for purposes of organization and clarity.

The only other changes made are in style.

10-407. OPEN SEASON FOR WETLAND GAME BIRDS, WILD WATERFOWL, AND CERTAIN OTHER MIGRATORY BIRDS, ESTABLISHED BY FEDERAL RULE OR REGULATION.

THE DEPARTMENT ANNUALLY SHALL ESTABLISH AND PUBLISH THE OPEN SEASON, EXCEPTING SUNDAYS, FOR DOVES, MERGANSERS, WOODCOCK, AND WETLAND GAME BIRDS, INCLUDING WILD WATERFOWL, IN CONFORMITY WITH THE FEDERAL MIGRATORY BIRD RULES AND REGULATIONS ADOPTED ANNUALLY BY THE SECRETARY OF INTERIOR OF THE UNITED STATES.

REVISOR'S NOTE: This section is new language derived from Article 66C, sections 132(a)